

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION

No. _____

UNITED STATES OF AMERICA,)	
)	
Petitioner,)	
)	
v.)	CERTIFICATION OF A
)	SEXUALLY DANGEROUS PERSON
JESS WILLIAM MARTIN,)	
Register Number 63663-065,)	
)	
Respondent.)	

The United States of America, by and through the United States Attorney for the Eastern District of North Carolina, hereby submits the attached Certification of a Sexually Dangerous Person pursuant to Title 18 U.S.C. § 4248(a).

Respectfully submitted, this 27TH day of September, 2007.

George E. B. Holding
United States Attorney

BY: /s/ Michael Lockridge
Michael Lockridge
Special Assistant U.S. Attorney
Civil Division
310 New Bern Avenue
Suite 800, Federal Building
Raleigh, NC 27601-1461
Telephone: (919) 575-3900 x 5093
(919) 856-4309
FAX: (919) 856-4821
N.C. Bar # 28644

CERTIFICATE OF SERVICE

This is to certify that I have this 27TH day of September, 2007, served a copy of the foregoing upon the Respondent in this action by placing the documents in an envelope marked as stated below, and providing it to FCC Butner staff to deliver the envelope in hand to:

Jess William Martin
Reg. No. 63663-065
FCI Butner

and on the same day served a copy of the foregoing by placing a copy in the U.S. Mail, addressed as follows:

Office of the Federal Public Defender
150 Fayetteville Street Mall
Suite 450
Raleigh, North Carolina 27601

/s/ Michael Lockridge
Michael Lockridge
Special Assistant U.S. Attorney
Civil Division

CERTIFICATION OF A SEXUALLY DANGEROUS PERSON

(1) I, Anthony A. Jimenez, am Chairperson of the Federal Bureau of Prisons (Bureau) Certification Review Panel, Washington, D.C. Pursuant to 28 C.F.R. § 0.97, the Director of the Bureau has delegated to me the authority to certify persons in Bureau custody as sexually dangerous, as authorized by 18 U.S.C. § 4248(a).

(2) Bureau records reflect the following: Inmate Jess William Martin, Register Number 63663-065, is in Bureau custody at the Federal Correctional Institution, Butner, North Carolina, in service of an 18-month term of imprisonment and an 18-month term of supervised release, following the revocation of his supervised release. Inmate Martin's original sentence was an 87-month term of imprisonment and a three-year term of supervised release, following his conviction for Felon in Possession of a Firearm, in violation of 18 U.S.C. § 922(g) (D. Or.) (Case No. CR 99-30060-01-PA). His projected release date is October 8, 2007.

(3) Based on a review of his Bureau records, I certify he is a sexually dangerous person as defined by 18 U.S.C. § 4247(a)(5), and sexually dangerous to others as defined by 18 U.S.C. § 4247(a)(6). My certification is based on information found in Bureau records which includes, but is not limited to, the following:

(a) He previously engaged or attempted to engage in sexually violent conduct or child molestation as evidenced by his prior convictions for: Battery With the Intent to Commit Sexual Assault, in the Second Judicial District Court, Washoe County, Reno, Nevada (Case No. CR91-2328), for conduct that included fondling the victim's breast and vagina under her clothing, forcing her onto a bed, removing her clothing, and raping her; Rape in the First Degree, in the Circuit Court for Josephine County, Oregon (Case No. 77-1246-C), for conduct that included driving a 16-year-old girl to a wooded area, threatening her life with a knife, and forcing her to have sexual intercourse;

(b) A limited psychological review indicated the following: Axis I diagnoses of Paraphilia, Not Otherwise Specified (Nonconsent), and Amphetamine Abuse, in a Controlled Environment; Axis II diagnosis of Personality Disorder, Not Otherwise Specified, with Antisocial Features;

(c) An initial assessment of him using two actuarial risk assessment instruments (Static-99 and Rapid Risk Assessment for Sexual Offense Recidivism (RRASOR)) was conducted. These results, in addition to his previous offense conduct, a history of revocation or failure to meet the stipulations of conditional release and non-compliance with supervision and/or treatment while on supervision, and

poor general self-regulation and lifestyle instability,
indicate he will have serious difficulty refraining from
sexually violent conduct or child molestation if released.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of
perjury that the foregoing is true and correct to the best of my
knowledge, information, and belief.



Anthony A. Jimenez
Chairperson
Certification Review Panel
Federal Bureau of Prisons

9/24/07
Date

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION

No. _____

UNITED STATES OF AMERICA,)	
)	
Petitioner,)	
)	
v.)	ORDER
)	
JESS WILLIAM MARTIN,)	
Register Number 63663-065,)	
)	
Respondent.)	

At the request of the Director of the Bureau of Prisons, the government has filed a Certification of a Sexually Dangerous Person pursuant to 18 U.S.C. § 4248, in order for this court to hold a hearing to determine whether the Respondent is a sexually dangerous person as defined by 18 U.S.C. § 4247(a)(5).

Respondent, having demonstrated eligibility for appointment of counsel at government expense, the Federal Public Defender IS DIRECTED to provide representation in this action.

The Court further determines that the Respondent is unable to pay the fees of any witness, and pursuant to Federal Rule of Criminal Procedure 17(b) the Clerk shall issue a subpoena for any witness necessary to present an adequate defense to the pending charge or charges.

The Court further ORDERS that the United States Marshal shall serve any subpoenas presented to him in this case by the office of the Federal Public Defender, and shall pay the appropriate fees and expenses to witnesses so subpoenaed.

Pursuant to 18 U.S.C. section 4247(b), the Court ORDERS the government to conduct a psychiatric or psychological examination of Respondent. Pursuant to this section, if the Respondent wishes to request an additional examiner, he shall request such by separate motion to this court.

The Court hereby notifies the parties that this case has been set for Hearing by videoconference at _____ AM/PM on _____. The hearing shall be held in Courtroom #2, Seventh Floor, of the Terry Sanford Federal Building, 310 New Bern Avenue, Raleigh, North Carolina.

This ____ day of _____, 2007.

W. EARL BRITT
Senior U.S. District Judge